

**December 15, 2005**

**Louisville Metro Planning Commission**

**Public Hearing**

The following items were reviewed by staff and comments provided to the Planning Commission Members in advance of today's meeting. Unless a member of the Commission, the applicant, or an interested party in attendance at today's meeting requests removal of an item from the consent calendar, the Commission considered these items as a group and acted on the entire calendar with a single vote. Conditions and binding elements recommended by staff will be enacted as part of the Commission's action, unless specifically stated otherwise.

**DOCKET NO. 1-13-05**

Applicant:	Kentucky Packing Service c/o Ronald McEntire P.O. Box 429 110 West Market Street Louisville, KY 40201
Engineer/Contact Person:	David Garber Garber-Chilton Engineers & Land Surveyors, Inc. P.O. Box 425 LaGrange, KY 40031
No Attorney	
Location:	2 unnamed, unimproved alleys between 14 <sup>th</sup> & 15 <sup>th</sup> Street North of Maple Street
Jurisdiction:	Louisville Metro
Council District:	04-David Tandy
Applicant:	Kentucky Packing Service by Ronald McEntire
Staff Case Manager:	<b>Doris J. Heyman, Associate Planner</b>

**Request**

Request to close an unnamed 20- foot wide east/west alley located on the east side of 15<sup>th</sup> Street, 140.43 north of Maple Street between 14 & 15<sup>th</sup> Street, running 419.76 feet east to the I. C. R. R. Co. (Railroad) and another unnamed alley 10 –feet wide intersecting with the same 20 –foot unnamed alley listed above 110.13 east from the 20- foot alley's intersection with 15<sup>th</sup> Street running

north 200.13 feet, both alleys containing 10, 245 square feet and being in Louisville Metro.  
in Louisville Metro.

***Staff Recommendation***  
**APPROVAL**

This request has met the requirements of Chapter 6 Part 3 Section 3, Street and Alley Closing of the Land Development Code. MSD has requested and received an easement. The Louisville Metro Health Department has requested and received mosquito abatement agreements for an existing catch basin. Staff recommends this request be forwarded to the **Consent Agenda** of the public hearing on **December 15, 2005** under section 6.3.3 F-4

**Docket No. 1-13-05 Proposed Unnamed Alley Closures**



**STAFF COMMENTS:**

1. 100% of the adjoining property owners signed, notarized consent to the proposed street closure has been submitted. Under Chapter 6 Part 3 Section 3-F, a public hearing **will not** be required.

2. The applicant states the reason for the request is as follows: "To allow a building addition to cross over the existing 20' wide east-west alley (Alley#1); also, to clear up title for maintenance purposes on the 10' wide north-south alley (Alley 2)."

**AGENCY COMMENTS:**

Louisville Metro Fire Protection – No objection

Air Pollution Control District - No objection

MSD – No objection/ **on condition easement is granted**

Louisville Gas & Electric- No objection

Planning & Design Services Addressing – No objection

Metro Health Department- No objection/**on condition Mosquito Abatement is provided for the existing catch basin**

Louisville Water Company – No objection

Public Works – No objection; protect necessary existing easements

Louisville Metro Solid Waste - No objection

TARC- No objection

<i>Policy</i>	<i>Description of Policy</i>	<i>Comments</i>
C2.4	Access and Circulation- Connected Network of Streets/Street Pattern	Staff finds apparent compliance
Guideline 6 Mobility & Transportation	Access to surrounding land uses	Staff finds apparent compliance due to existing adequate access for surrounding land uses

**Considerations for Approval of a Street or Alley Closing**

1. The considerations for closure of a street are: Adequate Public Facilities:  
No closure of any public right of way shall be approved where an identified current or future need for the facility exists.
2. Where existing or proposed utilities are located within the right of way to be closed, it shall be retained as an easement or alternative locations shall be provided for the utilities.

**Proposed Condition of Approval**

1. The applicant must submit a deed of consolidation to Planning Commission Staff for review by Legal Counsel prior to recording any ordinance or deed.

### Standard Conditions of Approval

1. The closure shall be in accordance with the approved closure plat and agreed upon conditions of approval unless amended by the Planning Commission.
2. All necessary easements are granted or measures must be taken that are requested by an agency, and that no construction of permanent structures shall be permitted within the easement area, and that such reservation and prohibition also be included in any litigation concerning the street closing.
3. The cost for a street or alley closing, or abandonment of any easement or land dedicated to the use of the public shall be paid by the applicant or developer of proposed project, including cost of improvements to adjacent rights-of-way and/or relocation of utilities within an existing easement

All conditions of approval stated in this report are accepted in total without exception by the entity requesting approval of this street closure.

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Name

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Title

On a motion by Commissioner Adams, the following resolution was adopted:

**RESOLVED**, That Louisville Metro Planning Commission does hereby **APPROVE** the above listed item on Consent Calendar subject to the above listed conditions and/or binding elements as recommended by Planning Commission staff.

### The vote was as follows:

**YES:** Commissioners Howard, Ernst, Carlson, Queenan, Wells-Hatfield, Abstain, Jones, Hamilton, and Adams.

**NO:** No one.

**NOT PRESENT:** No one.

**ABSTAINING:** No one.

## LD&T MINUTES

DECEMBER 8, 2005

### CONSENT AGENDA – [Items 2-6]

#### 2) DOCKET NO. 1-13-05

The following items have been reviewed by staff and comments provided to the LD&T Committee members in advance of today's meeting. Unless a member of the Committee, the applicant, or an interested party in attendance at today's meeting requests removal of an item from the consent calendar, the Committee will consider these items as a group and will act on the entire calendar with a single vote. Conditions and binding elements recommended by staff will be enacted as part of the Committee's action, unless specifically stated otherwise.

<b>Case:</b>	<b>1-13-05, Street Closure Request</b>
<b>Location:</b>	2 unnamed, unimproved alleys between 14 <sup>th</sup> & 15 <sup>th</sup> Street North of Maple Street
<b>Jurisdiction:</b>	Louisville Metro
<b>Council District:</b>	04-David Tandy
<b>Applicant:</b>	Kentucky Packing Service by Ronald McEntire
<b>Case Manager:</b>	Doris J. Heyman, Associate Planner

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#### **Staff Recommendation**

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## LD&T MINUTES

DECEMBER 8, 2005

### CONSENT AGENDA – [Items 2-6]

#### 2) DOCKET NO. 1-13-05

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#### AGENCY COMMENTS:

Louisville Metro Fire Protection – No objection  
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Louisville Gas & Electric- No objection  
Planning & Design Services Addressing – No objection  
Metro Health Department- No objection/**on condition Mosquito Abatement is provided for the existing catch basin**  
Louisville Water Company – No objection  
Public Works – No objection; protect necessary existing easements  
Louisville Metro Solid Waste - No objection  
TARC- No objection

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**LD&T MINUTES**

**DECEMBER 8, 2005**

**CONSENT AGENDA – [Items 2-6]**

**2) DOCKET NO. 1-13-05**

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**Proposed Condition of Approval**

1. The applicant must submit a deed of consolidation to Planning Commission Staff for review by Legal Counsel prior to recording any ordinance or deed.

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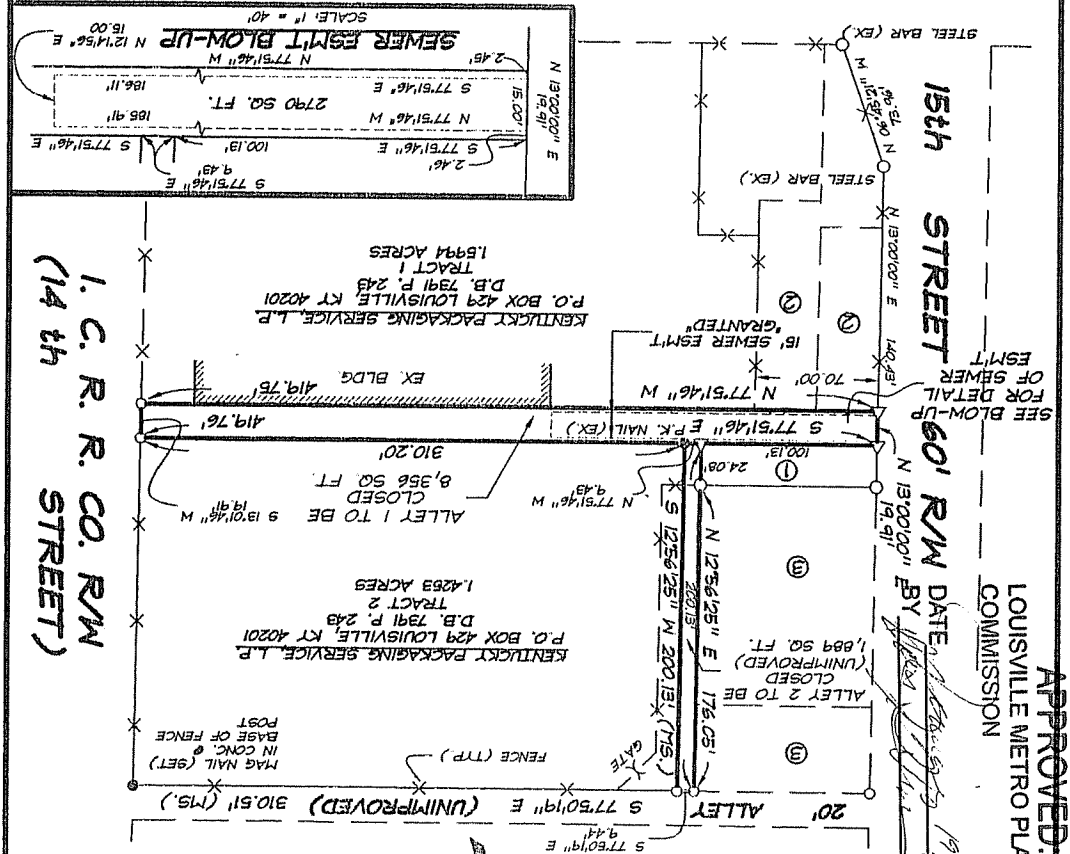
**David Garber was present.**

APPROVED.

LOUISVILLE METRO PLANNING  
COMMISSION

NOTE: A title examination may reveal roads and easements of record not shown hereon.  
THE REFERENCE MERIDIAN USED ON THIS PLAT TO DETERMINE THE DIRECTION OF SURVEY LINES WAS BASED ON MAGNETIC NORTH AND TAKEN ALONG THE EAST R/W LINE OF 15th STREET AS N 13° E AS OBSERVED ON 4-11-05

- OWNERSHIP KEY ACERAGE**
- 1. KENTUCKY PACKAGING SERVICE, L.P.  
P.O. BOX 429 LOUISVILLE, KY 40201  
D.B. 7391 P. 243  
TRACT 4  
GRAVEYARD AUTO, INC. 0.0553 ACRES  
D.B. 6032 P. 356  
1300 EMMORY CROSSING JEFFERSONVILLE, IN. 47129  
TRACTS 1, 2, 3 & PART OF 4
  - 2. FACTS OF FAITH FELLOWSHIP MINISTRIES, INC.  
P.O. BOX 22023 LOUISVILLE, KY. 40252  
D.B. 7894 P. 823
  - 3. KENTUCKY PACKAGING SERVICE, L.P.  
P.O. BOX 429 LOUISVILLE, KY 40201  
D.B. 7391 P. 243  
TRACT 1  
EX. BLDG. 419.76'



MAPLE STREET 60' R/W

STATE OF KENTUCKY  
LAND SURVEYOR  
DAVID F. GARBER  
LICENSED 1985  
I hereby certify that the survey depicted by this plat was done under the direct supervision by the method of RANDOLPH TRAVELER  
and the accuracy and precision of said survey meets all the specifications of this class  
L.S. 15-2 A-05  
Surveyor  
Land Surveyor License No. 1985

GARBER - CHILTON ENGINEERS & SURVEYORS, INC.  
Civil - Drainage - Structural - Investigative - Land Surveying - GPS  
P.O. BOX 6604 Louisville, Kentucky 40206-6025  
P.O. Box 425 - Lexington, Kentucky 40031-5022 222 9216

CLIENT KENTUCKY PACKAGING SERVICE, L.P.  
DESCRIPTION 1417 MAPLE STREET  
LOUISVILLE, KENTUCKY  
JOB NO. 5-9460 DATE JUNE 2005 BY WAIC  
FILE NO. 9460ALLT8.5X14.DWG  
REV. 4-20-05 SUBMIT FOR PRE-APP.  
10-20-05 SUBMIT 8.5 X 14

